

## **Remarks**

### **Amendments to the Claims**

Claims 1-7, 9, 10, 13-17, 23-30, 32-34, 37-43 were pending in this application, and subject to a Restriction Requirement. Claims 1-7, 9, 10, 13-17, 23 and 28 are canceled herein. Applicants expressly reserve the right to pursue protection of any or all of the canceled subject matter in one or more divisional applications.

Claims 24, 33, 34 and 43 have been amended. Claims 24 and 43 are amended to be in independent form, and to incorporate the limitations of canceled dependent claims. Claim 34 is amended herein to be directed to the elected species (SEQ ID NO: 2), which includes four TTAGGG motifs. Support for the amendments may be found in the original claims, and throughout the specification.

New claims 51 and 52 have been added herein.

No new matter is introduced by these amendments. To the extent that any of the claims are viewed to be narrowed by the amendments made herein, Applicants reserve the right to pursue protection of the broader scope of the subject matter in this or a later-filed application.

After entry of this amendment, **Claims 24-27, 29-30, 32-34, 37-43, 51 and 52 are pending in the application.** Consideration of the pending claims is requested.

## **Restriction Requirement**

In response to the restriction requirement, Applicants provisionally elect, with traverse, the claims of Group II directed to a method of treating or preventing an inflammatory arthropathy in a subject (claims 24-30, 32-34 and 37-43). Applicants submit that new claims 51-52, which depend from claim 24, should also be included in this Group.

In response to the requirement for an election of species, Applicants elect SEQ ID NO: 2, a suppressive oligodeoxynucleotide (A151) that includes four TTAGGG motifs.

Applicants thank the Examiner for confirming that claims 24-30, 32-34 and 37-43 are generic. Claim 24 is directed to treating inflammatory arthropathy using and

oligodeoxynucleotide (ODN) of 8 to 100 nucleotides in length that includes has a CD value of greater than 2.9 and includes multiple TTAGG motifs. Claims 26-27 are directed to ODNs that have CD values of greater than 3.0 or greater than 3.2, respectively. An ODN comprising SEQ ID NO: 2 has these properties. In addition, an ODN comprising SEQ ID NO: 2 can be administered by any route (claim 25). An oligonucleotide including SEQ ID NO: 2 can be 24 to 30 nucleotides in length (claim 29), includes multiple guanosine-rich sequences (claim 30), such as four guanosine-rich sequence (claim 32), and includes four TTAGG motifs (claim 33). Claim 34 is directed to the elected species (SEQ ID NO: 2), and claim 39 includes the elected species (SEQ ID NO: 2). CpG motifs can be included in ODNs that comprise SEQ ID NO: 2 (claims 37-38). ODNs comprising SEQ ID NO: 2 can be administered with additional agents (claims 40-42). ODNs comprising SEQ ID NO: 2 can be modified to prevent degradation (claims 51-52).

### Conclusion

If any additional restriction requirement is asserted, or if there are any questions regarding the elected species, the Examiner is formally requested to contact the undersigned prior to issuance of the next Office action, in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. This request is being submitted under MPEP §713.01, which indicates that an interview may be arranged in advance by a written request.

Respectfully submitted,

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